

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION  
CIVIL ACTION NO. 2:13-CV-00038-GCM**

RITA WARD FOX,

**Plaintiffs,**

**v.**

CAROLYN W. COLVIN,

**Defendants.**

**ORDER**

Before the Court is the Motion of Plaintiff Rita Ward Fox for award of attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Based on the pleadings as well as the position of the defendant commissioner, and recognizing the Plaintiff's waiver of direct payment and assignment of EAJA to her counsel,

**IT IS HEREBY ORDERED** that attorney fees in the total amount of Seventeen Thousand Dollars (\$17,000.00) pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) are awarded to Plaintiff.

**IT IS HEREBY ORDERED** that the costs in the total amount of Four Hundred Dollars (\$400.00) are awarded to Plaintiff. The payment of costs will come from the Judgment Fund, 31 U.S.C. § 1304.

If the U.S. Department of the Treasury determines that Plaintiff's EAJA fees, expenses, and costs are not subject to offset allowed under the Department of the Treasury's Offset Program (TOPS), then the check for EAJA fees, expenses, and costs shall be made payable to Plaintiff's attorney, Paul B. Eaglin. Whether the check is made payable to Plaintiff or to Paul B. Eaglin, the check shall be mailed to Paul B. Eaglin at the following address:

300 South State Street  
Suite 420  
Syracuse, NY 13202

**SO ORDERED.**

Signed: June 23, 2016



Graham C. Mullen  
United States District Judge

